



**Planning Commission Regular Meeting
City Council Chambers, 2660 Civic Center Drive
Minutes – Wednesday, November 2, 2022 – 6:30 p.m.**

1. Call to Order

Chair Kimble called to order the regular meeting of the Planning Commission meeting at approximately 6:30 p.m. and reviewed the role and purpose of the Planning Commission.

2. Roll Call

At the request of Chair Kimble, City Planner Thomas Paschke called the Roll.

Members Present: Chair Julie Kimble, Vice Chair Michelle Pribyl, and Commissioners Michelle Kruzel, Tammy McGehee, Karen Schaffhausen, Pamela Aspness and Erik Bjorum.

Members Absent: None

Staff Present: City Planner Thomas Paschke, Community Development Director Janice Gundlach and City Planner Bryan Lloyd.

3. Approve Agenda

MOTION

Member Pribyl moved, seconded by Member McGehee, to approve the agenda as presented.

Ayes: 7

Nays: 0

Motion carried.

4. Review of Minutes

a. October 5, 2022 Planning Commission Regular Meeting

MOTION

Member Kruzel moved, seconded by Member Schaffhausen, to approve the October 5, 2022 meeting minutes.

Ayes: 7

Nays: 0

Motion carried.

5. Communications and Recognitions:

- a. **From the Public:** *Public comment pertaining to general land use issues not on this agenda, including the 2040 Comprehensive Plan Update.*

None.

- b. **From the Commission or Staff:** *Information about assorted business not already on this agenda, including a brief update on the 2040 Comprehensive Plan Update process.*

None.

6. Public Hearing

- a. **Request to Allow Residential Density Greater Than 24 Dwelling Units Per Acre As A Conditional Use In Support Of A Proposed Apartment Project At 1415 County Road B (PF22-012)**

Chair Kimble opened the public hearing for PF22-012 at approximately 6:34 p.m. and reported on the purpose and process of a public hearing. She advised this item will be before the City Council on November 28, 2022.

Senior Planner Lloyd summarized the request as detailed in the staff report dated November 2, 2022.

Member McGehee inquired on line 32-33, it seems like they are predicating them on a highly refined plan and she wondered how staff defined that and whether that is specific to this or a term staff uses more frequently.

Mr. Lloyd explained that is only intending to reflect the fact that if 32 units per acre was approved, that would yield a total of 72 units on this site. He was referring to it as being more refined because the applicant has gone beyond that sort of basic plan of strictly speaking of what the applicant is asking for, that addition of density, and showing their ultimate proposed development, utilizing the density bonus that is available through the structure in the parking stalls. It has more details than necessary for reviewing the application and what he was trying to suggest in his language.

Member McGehee asked what are the design issues staff seems to have.

Mr. Lloyd reviewed on the map some of the issues that do not meet the Zoning Code requirements. He indicated some of these are design considerations that have not been met.

Member McGehee thought this is one of the nicer plans she has seen and did not think that making it fit into an exact box is going to enhance it. She thought the architects in this case have a nice-looking building that looks a little different than anything else Roseville has. She wondered how much flexibility the City is willing to

provide given the architects have a very highly refined plan, which she thought was attractive.

Mr. Lloyd explained for better or worse, how much flexibility the City is willing to exercise is a different question from how much flexibility or discretion the Zoning Code provides. Staff has discussed the plan internally and he has talked about it a bit with the applicants and there was discussion on some ideas to deal with that. The only alternative so far is to apply for a variance, which still could be done but it is not immediately clear how an application to leave the building the way it is without forcing it into something else meets the test for the hardship or practical difficulty of meeting those requirements that is needed in a variance request. It is not an ideal option but is the only path for additional flexibility since the Zoning Code does not provide sort of built-in discretion on that.

Member Aspnes asked how much of the parking is underground and how much is surface parking and is there a percentage required for the additional twenty-nine units. She wondered if there is a ratio of underground parking that was increased to accommodate for some percentage of these and is there sufficient parking either within this L or underground so that guest and resident parking does not spill into the neighborhood.

Mr. Lloyd indicated he did not know the direct answer regarding how many parking stalls are underground and above ground and not something he spent time reviewing as a part of this application. Those are more of the details that would be attended to with a permit application to verify they have structured enough of them to justify the density bonus and number of units that they are proposing. He explained he has worked with the applicants on a previous version of the plan and it is very similar to him.

Chair Kimble asked if the developer required to hold an open house.

Mr. Lloyd explained an open house was not required for this application.

Chair Kimble inquired if staff knew what the density per acre is on the adjacent apartment buildings that are there.

Mr. Lloyd explained he did not look at that. He noted in the maximum zoning in many of Roseville's Zoning Districts for a long time has been 24 units an acre and he expected it to be close to that.

Member Kruzel hope there was some good considerations in this plan for crosswalks and fixing that whole area through there for pedestrians and bicyclists. She thought there needed to be a focus on foot traffic.

Mr. Craig Gottschalk, representing Firm Ground Architects and the Ownership Group, explained there are currently ninety stall slated for the garage and 139 total parking spots. He reviewed the parking plans with the Commission.

Member McGehee asked if there was any consideration of plantings around the building and putting in more natural grasses in light of drought and climate changes.

Mr. Gottschalk explained the Civil Engineer that is in charge of the project has landscaping requirements that are set forth by the City. The plan does address many of the requirements. Due to sometimes the limitations of the rendering software, the grass may not look as accurate as to what might be native to the area but certainly the grass and anything planted in the area is native to the area.

Member McGehee asked if there is any possibility of any larger trees.

Mr. Gottschalk indicated he did not have the civil plans with him but he did know that part of their landscaping plan there is an entire tree and bush and other plants and flower scheme proposed for that site but he did not know the entire details. Whatever trees that can be salvaged onsite will be saved and there is a requirement to plant quite a bit.

Public Comment

Chair Kimble noted there was a note from Mr. & Mrs. Graham to the City in support of the development and another email from Mr. & Mrs. Toconita who had a lot of questions to staff regarding the project and felt it would be injurious to their neighborhood.

Mr. Paul Johnston, Burke Avenue, explained one of the issues brought up was that this development would not have a negative impact on neighboring properties. He indicated he just had a market analysis done on his home and one of the things that was spelled out in there, while determining the value of his property, was the large green space on County Road B. If that is gone it will have a negative impact on his property value. He is concerned with the traffic that this development will bring. Staff brought up a six-year-old traffic study during the presentation which is not a current traffic study and does not show how traffic is around the area today. It appears that the developer would like the residents to live with what is considered to be acceptable traffic levels based upon a six-year-old study, however, the developer would like to have a variance to what is an established parameter. If the neighborhood has to live within whatever parameters are currently established than he would request the developer do the same. Particularly if looking at the intersections of County Road B and Pascal. If a person tries to take a left off of County Road B to Pascal that person will sit there for five to ten minutes and sometimes fifteen to twenty minutes because of the increase in volume of traffic. Also, he noticed there are new temporary stop signs at the north end of Albert which is another disaster intersection.

Ms. Celeste Moore Hannan, 1398 Sandhurst Drive, indicated her house is directly across from the driveway into and out of the new planned facility. She explained she has many concerns. Her family has lived there for thirty-one years when the senior

housing was next to her. She noted the building has since been removed leaving the open green space for twelve years. She thought the zoning has changed since the application for that senior housing was done. She was surprised to get the notice in the mail of this planned venture for a four-story apartment. She indicated this will drastically change the neighborhood, her home, the amount of noise they experience and wondered what kind of a sound barrier would be there. She indicated with this tall of a building it will change the light of the house, yard. She noted her major concerns would be the noise, traffic, parking and changes to the neighborhood, evaluation of their home.

Ms. Mary Erb, 1397 Sandhurst Drive, indicated she has lived in the area for twenty-seven years and raised five children there. She noted she taught her children to ride bikes on Sandhurst but today she would not advise that on her worst enemy. Traffic as it is, is terrible and more will be added with this development. Her main concern is going to be noise and traffic. She thought this is pushing way to many people into a small area.

Mr. Phil Toconita, 1391 West Sandhurst Drive, explained he has lived there for fifty-one years. He indicated the traffic is bad there already and some people do not stop at the four way stop sign. There is a lot of speeding through the area as well. He explained the parking from the current apartment building block the view as well because there is not enough parking there and people park on the street. He agreed that biking is also dangerous.

Mr. Thomas Masanz, explained he lived across from this development. He noticed that it showed Albert as a three-lane road but one of those lanes is a turn lane. He thought this was too much. He agreed with everything that has been stated so far.

Ms. Myra Toconita, 1391 West Sandhurst Drive, requested that a new traffic study be conducted after all of the construction is complete in the area because that has altered the number of vehicles that go by. She explained during the State Fair there is also parking issues on the road.

Mr. Mike Bilski, CEO North American Banking Company, 2230 Albert Street, explained the changes the County has done to the road have eased the speed and the four way stop sign and changing of the lanes have been fantastic. He explained he has been at this location for twenty-three years and the neighborhood has taken great care of their homes. He thought the apartment buildings that exist there already have also done a great job taking care of the property. He thought all in all what is proposed here is good for the City. He did not think it is going to cause adverse consequences with parking. There are a lot of things that go on in the area and the parking is really a minor problem. He thought this is a great development for the corner.

Chair Kimble closed the public hearing at 7:24 p.m. and recapped the resident concerns.

Ms. Lloyd addressed the 2016 traffic study and indicated it was determined this to be an adequate traffic study. He reviewed some of the questions the residents brought up regarding zoning of the previous senior housing building, landscaping, parking, and traffic.

Commission Deliberation

Member Schaffhausen wondered with the density bonus, the City is really working with trying to provide what the density bonus is as far as what it means from a residential perspective, would be helpful and what would preclude the Commission from saying this is something the City should do.

Mr. Lloyd explained the main achievement of this density bonus is that it reduces the amount of surface parking and open lots and will help manage the amount of storm water that is being generated on the site, at least from the flat areas and will also help to reduce the radiant heat that comes from the sun warming up an asphalt parking lot. He thought as much as anything it promotes a more efficient use of a given amount of land by having the parking stalls underneath the building rather than on the surface. He indicated as staff has reviewed this there is nothing that would preclude this development from being built.

Member Schaffhausen left the meeting at 7:35 p.m.

Member McGehee thought that even though this is a lovely building it does not mean that she agrees with the density of it. She thought the traffic was terrible along with the intersection in the area. She also noted there were not any solar or electric charging stations incorporated into the design or any environmental items. She indicated she was not willing to support the additional units based on: (1) mitigation by parks was insufficient for the duration of occupancy of building; (2) Fire has insufficient resources for increased emergency and licensing for the increased density; (3) traffic in the area is already unacceptable with B/Snelling being one of the most dangerous intersections in the metro; (4) the impact of the increased noise, light, and height on the surrounding residential neighborhood; (5) the structured parking was not worthy of a bonus because it was actually a necessity for a market rate building as planned and described; (6) the City has already met the 2040 density requirements so additional density is not necessary.

MOTION

Member McGehee moved, seconded by Member Kruzel, to recommend to the City Council approval of the increased density, but with the added condition that the development be limited to a total of 72 units instead of 89, based on the reasons previously stated, including impacts to the Fire Department, traffic and parks.

Chair Kimble explained in regard to covered stations and electric charging stations in the proposed development, the City does not have those incentives in place yet and is pretty hard for a developer to respond to something this City does not have.

Member Kruzel asked if there was a possibility to get another traffic study done before a decision was made. She wondered what the expiration was of a traffic study.

Mr. Lloyd was not sure if there is an expiration date for a traffic study. He thought it had to do with the conditions and how the surrounding conditions have changed and what is being proposed. One of the challenges he is seeing with having a new traffic study done so it is available for the Planning Commission before action is taken is that the sixty-day timeline for the City's action expires December 9th and there would not be time to get the traffic study done and through the to the City Council in time. The timeline would have to be extended with the developer's approval.

Member Pribyl thought another issue with a new traffic study is there is still a lot of construction in the area so she imagined it would be awhile before a new traffic study would be an accurate reflection on the area.

Chair Kimble indicated she would like to hear from the applicant on this to see if there is any impact on the project before a vote.

Mr. Josh McKinney, Measure Crew, consultant for the applicant, explained the difference between eighty-six units and seventy-two units is absolutely massive on a project of this scale. He noted seventy-two units is not something that they could feasibly construct and are really seeking eighty-six to make the project work on a site that is this tight of two acres. Regarding traffic, the previous study, as noted in the City Engineer's report had stated that it studied two hundred fifty-unit options and this proposed project is approximately a third of the total units of that two hundred fifty-unit option. If things are up and down or in flux, ultimately he felt they would be well within the current traffic study in terms of the amount of trips generated from this site. He noted there will be significant buffering for headlights along the parking lot and more screening can be done if needed.

Chair Kimble thanked Mr. McKinney for the information. She noted she was willing to trust staff's judgement on the traffic and if the engineers did not think a new study was warranted she personally would trust their judgement on that.

Mr. McKinney explained what they are asking per the CUP request is not zero units or eighty-six it is an increase of fifty-six to eighty-six. He noted regarding a traffic study would thirty new units necessitate a new traffic study. He indicated he would struggle to see it creating enough of a difference when they are already talking about a significant reduction in units compared to the previous study.

Mr. Gottschalk explained from a development standpoint, a development like this increases the tax base significantly and more money will be coming into the City could help offset some of those costs. In speaking about the parking being a critical point in a project like this and to maximize the site to pay for the units, they also look at this from an amenity standpoint as well. They have taken great care within the site plan, as far as the exterior amenities go as well as with some of the interior amenities,

which is not a part of the conditional use. There are a lot of good high valued market rate amenities that are a part of this project such as a club room, community room and a fourth-floor terrace and upper floor community room to encourage community gathering.

The Commission discussed with staff the conditional use requirements in the staff report.

Member McGehee asked if she could amend her motion.

Member Kruzel indicated when explained differently it changes this because her assumption was this was going automatically to the higher number of units but it is not, there is a cap.

Member McGehee explained the Commission can make a cap by including it in the motion. In this particular case one of the conditions is that the number of units does not exceed seventy-two.

Mr. Lloyd indicated that was correct. He was contemplating the prospect of having a condition of approval that prevents somebody from doing a thing that the Zoning Code allows them to do by right and that is a little less than comfortable for him.

Member Kruzel agreed and did not think that would work.

Mr. Lloyd explained Ms. Gundlach did some quick math and came up with thirty units an acre with the ability to use the density bonus can get to the seventy-two units.

Member McGee thought the motion could be amended to state thirty units per acre.

Member Aspnes thought if they were going to seventy-two because they thought the City services can support seventy-two, the jump to eighty-six is not huge in her mind, it is marginal. Once it gets to seventy-two, how much bigger is the impact to it. The site as it stands would support fifty-seven without any approval needed.

Mr. Lloyd indicated that was correct and affirmed that at a certain point requiring fewer units the project goes away entirely. Of the projects that have come to staff's attention for this site over the last few years, this is far and away the smallest and the least number of units. That is testament to the fact that there is a minimum number of units that need to be built in order to have a project that can function and be built in the first place.

Chair Kimble noted the amount in the staff report states thirty-six units per acre and she wondered if that should be thirty units per acre.

Mr. Paschke indicated it is what is shown in the staff report, thirty-six units per acre.

Chair Kimble wanted to make sure everyone was clear about the motion in order to make a motion.

Member Kruzel felt she understood what the developer was saying that it was not feasible to not have it larger and the Commission talked about trusting the reports about the traffic study but her biggest concern was the traffic and the pedestrians. If that all can work then increasing the number works for her after more clarification. She indicated she would withdraw her second to the motion.

Member McGehee withdrew her motion.

Member Aspnes asked if the City is aware that this neighborhood has traffic issues.

Mr. Paschke knew the City as well as the County was aware of the issues at County Road B and Snelling Avenue. He reviewed some other issues within the area that are not functioning as the County would like to see but he was not sure if the City was as aware of issues on local streets in the area.

Member Pribyl moved, seconded by Member Bjorum, to recommend to the City Council approval of the proposed residential density of 36 units per acre, based on the content of the RPCA, public input, and Planning Commission deliberation with the two conditions listed. (PF22-020).

Member Pribyl indicated she sympathized with the residents in the neighborhood and hears the neighborhood's concerns but felt that going from the fifty-seven that they would be allowed to by right to the eighty-six that the developer is asking for is not going to make a significant difference and she sympathized with the developers concerns as well and what is needed to make this development work. She also agreed with the Fire Departments comments on this development as well.

Member Bjorum agreed and felt this is a quality development in a vacant lot. The area is busy and he lives close to this intersection but he did not think the change to the density allowed to what the developer is asking for is significant enough, especially given that the traffic study was expecting more than double what is being asked here. He thought this is a quality project which makes sense and worth moving ahead.

**Ayes: 5
Nays: 0
Abstain: 1 (McGehee)
Motion carried.**

7. **Other Business**
 - a. **Discussion Regarding the Table of Uses (Table 1007-2) For The Institutional District Of The Roseville Zoning Code And The Need For Potential Amendments (PROJ0044-Amdt 1)**

City Planner Paschke reviewed the Table of Uses for the Institutional District of the Roseville Zoning Code and the need for potential amendments with the Commission.

Chair Kimble thought it was a lot to read. She indicated as she looked at the research the White Bear Lake looked good, but the Shoreview did not. She liked that Roseville has the Institutional District, but she understood staff issue that it is not defined enough. She also liked the idea of having the zoning or district that is public or institutional and to Mr. Paschke's point, maybe it is a use, not whether it is public or private necessarily because there could be some things. She liked the way Roseville is doing it but with more definition of uses. She noted the only use she did not understand was cemeteries because that one seemed like it should be in a class all its own.

Member Pribyl wondered how many areas of Roseville have the Institutional designation.

Mr. Paschke explained it would be all the schools, public uses, cemeteries, and churches. He thought the Kent Street site is the only area that is considered under developed because there is a building on it that is utilized and leased but there are also parts of it that are used both in an interim use perspective for household hazardous waste, which is one of the things that is being looked at for putting in there on a permanent basis as well as they have used it in the past when there are storms for hauling trees temporarily and other types of things.

Chair Kimble asked if this was more of a room for improvement so the Code is better or is this also helpful as the Master Civic Campus develops.

Mr. Paschke thought it was helpful in two ways. One is talking about the uses in the table, what ones are in there, what ones may go, and which ones need to be defined. He thought having something in there that staff can look at is what he is looking for as the Campus Master Plan moves forward.

Member Pribyl asked if some of these things go away, talking about defining the more generally public facilities and uses. She thought for her there are some things in this that would still be helpful to see.

Mr. Paschke indicated some would stay because these would be accessory to the principal use per say.

Ms. Gundlach thought the bigger question was not do they want to keep the Institutional District, because clearly the City does want to keep it. She thought the bigger question is because some of the uses in the current table are not defined, does the Planning Commission want to have the opportunity to review a Conditional Use for some of these or given their "Government" type use, is the Commission comfortable with those just being permitted uses as long as staff defines more clearly what those entails.

Chair Kimble thought there were some on there that still needed Conditional Uses.

Member McGehee agreed and explained she did not want to get rid of the institutional uses and the City has a lot of them. Having a Conditional Use is not onerous for someone to come forward with.

Ms. Gundlach thought there was some misunderstanding. Staff is not talking about getting rid of the Institutional District, that needs to be retained. What staff is seeking clarification on is Maintenance Facility is currently listed as a Conditional Use but is not defined. She noted Mr. Paschke is in a position where he has to review what happens on a Civic Campus and he has to review what Ramsey County wants to do in an Environmental Service Center, not all of those things fit under Maintenance Facility and not all those things fit under Government Office. The City needs to better define those terms. When they better define those terms, what is to be permitted and what is not ok to be permitted and needs a Conditional Use so that staff can go back and create better definitions to plug into this land use table.

Mr. Paschke noted staff would come back to the Commission with definitions of what those items are, whether it is public use as is indicated in the report, there is a definition within that of what that would cover. If it is something else that the Commission wants staff to define and the Commission wants it placed in the Use Table staff would have to search out and try to find a definition of whatever that might be and draft it and come back to the Commission to review if it made sense, then it is a matter of amending the table and the definition section for that specifically and then putting a “c” by it as having it be Conditional.

Member Pribyl thought that things that are coming to mind to her are things like the athletic field with lights and things that would be potential light and noise and traffic generators and maybe Maintenance Facility for similar reasons, depending on the size of it.

Ms. Gundlach thought the Commission would want to retain a Conditional Use option for uses that are deemed heavier in terms of impacts for lighting, noise, or traffic or maybe stuff that is stored outside.

Member Bjorum thought it should include anything that impacts property around it.

Ms. Gundlach thought fundamentally staff understands the Commission wants to retain the Conditional Use option and do not want to create an all-encompassing Government Use and it make it permitted. She indicated staff will go back and reevaluated how those terms are defined and come back to the Commission.

b. Discuss Phase Two Zoning Code Amendments

Community Development Director Gundlach reviewed the Phase Two Zoning Code Amendments with the Commission.

Member McGehee wondered if the sustainability folks thought five percent was a lot because it seemed kind of low to her.

Ms. Gundlach indicated staff got that percent directly from the consultants and they got that number based on what they have been seeing in other cities or other projects. Staff has really relied on the consultants to gauge what the right percentage is. If the Commission would like something higher staff can certainly bring that back and make an amendment to the worksheet.

Member McGehee thought it could go higher, maybe ten percent because anything better would be good. She was also wondering about the stormwater management stuff. She did not know how much is involved in this but certainly from the standpoint of sustainability, her interest in this is to keep it at the maximum amount of permeable surface and the maximum amount of green space and the ability to have space to put a tree on. She indicated she was naturally going to want to value those.

Ms. Gundlach thought this was touched on at the last meeting. Regarding storm water, in terms of unlocking an incentive, if the project does unlock an incentive, enough points to increase their impervious surface the impervious surface still needed to be treated. That takes care of that issue. The other point regarding the two, the point values staff came up with were based upon the cost and the challenge in order to do these things and the belief is that some of these storm water items are less expensive and easier to implement on a project and so that is why the points were set at two versus some of the other things that are more expensive or more challenging and were valued higher.

Chair Kimble explained the only comment she was going to make on the five percent is that ten percent is better, but it might just not be achievable.

Member McGehee thought that was fine, she thought the City should see how this works, but she would like to see more points for the bird safe glass.

Ms. Gundlach indicated staff can make those changes.

Member Pribyl indicated she was very interested in how this will work. She reviewed as an architect what items she would work on to get points. She noted on the incentives if there was a maximum on the number of incentives that people can take.

Ms. Gundlach explained staff talked about a limit. She did not see that noted in the narrative but thought there was a discussion on the limit of no more than two or three so staff can incorporate that into the narrative.

Member Pribyl asked if there is going to be someplace else for further definition of some of the things in table two.

Ms. Gundlach explained her initial response would be staff can take another look at these and see what needs to be better defined. One concern she has is with the worksheet living outside of the Code and having a staff person who has knowledge about sustainability at levels the City Planners do not have, staff would like to have that person to have the ability to work on a project by project basis to evaluate the merits of these individual projects and to have some flexibility to make decisions based on what is in front of them with that specific project and she gets a little concerned when things are overly defined because that might be detrimental to developers actually utilizing this.

Chair Kimble thought this was great effort and everyone was excited to give it a try.

8. Adjourn

MOTION

Member Pribyl, seconded by Member McGehee, to adjourn the meeting at 8:48 p.m.

Ayes: 6

Nays: 0

Motion carried.